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Lawes and Ordinances Of Warre,

For the better Government of His MAIESTIES Army Royall, in the present Expedition for the Northern parts, and safety of the Kingdome.

Vnder the Conduct of his EXCELLENCE, The Right Honourable THOMAS Earle of ARVNDEL and SVRREY, Earle Marshall of ENGLAND, &c. and Generall of His Maiesties Forces.

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Sept 12. 1927

Lawes and Ordinances Of Warre.

SIR THOMAS HOWARD, Chiefe of the *Howards*, Earle of *Arundel* and *Surrey*, First Earle, and Earle Marshall of *England*: Lord *Howard*, *Mowbray*, *Brews* of *Gower*, *Fitz-Allen*, *Clun*, *Oswaldestry*, *Maltravers* and *Graystock*: Chiefe Iustice, and Iustice in Eyre of all his Majesties Forests, Parks, and Chaces beyond *Trent*: Lord Lieutenant of the Counties of *Norfolk*, *Sussex*, *Surrey*, *Northumberland*, *Cumberland*, and

Weſtmerland: Knight of the moſt noble Order of the Garter, One of his Majeſties moſt Honourable Privie Councell in all his Majeſties Kingdomes of *England*, *Scotland*, and *Ireland*, and GENERALL of all his Majeſties *Forces* in the preſent *Expedition* for the *defence* of this Realme, &c. To all *Officers* of the Army, *Colonels*, *Lieutenant-Colonels*, *Sergeant-Majors*, *Captains*, *Lieutenants*, *Enſignes*, and all other *Officers* and *Souldiers* of *Horſe* and *Foot*: And to all his Majeſties *Subjects*, and others, whom theſe LAWES and *Ordinances* of *Warre* ſhall concerne: VVhich LAWES being thus ordained and proclaimed in the *Army*, all the ſaid Perſons, reſpectively and ſeverally, are to ſwear unto; and thereafter to obſerve and keep, upon the *pains* and *penalties* to the LAWES and *Ordinances* ſeverally expreſſed.

Con-

Concerning Religion: and breach of *Morall* duties.

FIRST, Whosoever shall impiously blaspheme the *Deity*, or any of the blessed Persons of the Holy *Trinity*, and be lawfully convicted thereof; shall for the first offence make a publique acknowledgement with detestation of his fault before the *Preacher* of his *Regiment*, and all others present at the time and place of *Divine Service*: and be kept three daies in prison with bread and water. The second time, he shall haue a red-hot iron thrust thorow his tongue; and after that, be ignominiously for euer turned out of the Armie. Against Blasphemy

2 The like penalty shall they incurre for the first and second times, who shall either doe or say aught in *despite* or *derision* of *Gods word*, any knowne or receiued *Article* of *Faith*, or the *Ministerie* of holy *Church*, and their *Office*. Deriding of Gods word, or Ministers

3 Who-

Common swearing, cursing, and prophaning of holy Scripture.

3 Whosoever shall be convicted for a common *Swearer* or *Curser*, or for a prophane abuser of *holy Scripture*, in vaine *iesting* or *scurrilous* fashion; shall forfeit such a proportion of his entertainment, and suffer, besides, so long *imprisonment* or other *punishment*; as according to the quality of the *person* or *offence*, the *Court* of *warre* shall adjudge it to have deserved.

Sacriledge.

4 Likewise shall they be punished, that *profane*, *rob*, or *abuse* any *Church*, *Chappel*, or other place of Gods publick worship; or any thing that is in them, or belonging to them.

Observation of the Lords day, and frequenting of divine Service.

5 All *Commanders* and Officers of the Army, are straightly charged, that in their severall *Regiments*, *Quarters* and *Garrisons*, they take care that God almightie be duely served, the *Lords day* with other *Holy daies* of the *Church*, more reverendly observed; that *Morning* and *Evening prayers* with the *Sermons* at the appointed times, be diligently frequented, by themselves, their soldiers and servants, so farre forth as the necessitie of the warres will permit. And that all repaire to the places appointed for *divine service*, vpon solemne warning given for it, by sound of *Drum* or *Trumpet*.

Gaming.

6 And forasmuch as *gaming* is oft times the pro-

provocation unto *ſwearing*, *quarrelling*, *neglect* of militarie *duties*, with other diſhonors of God almighty, loſſe to the ſoldiers, with danger to the whole Armie; all common playing at *dice* and *cards*, with other *unlawfull games*, are utterly hereby forbidden to the ſoldiers, eſpecially to the meaner ſort: who if they be convicted to offend herein, ſhall be firſt admoniſhed: and if they leave not, they ſhall be fined, impriſoned, or otherwiſe ſeverely proceeded againſt, according as the offence and ſcandall of it ſhall deſerve.

Whoredom

7 All *ſuſpitious* and *common women* ſhall be turned out of the Armie or garriſon, ſo ſoone as ever they ſhall be diſcovered. Where if they be taken the ſecond time, they ſhall be ſoundly whipped like common *ſtrumpets*. Soldiers alſo that frequent their companies, ſhall be fined and impriſoned; and *Officers* for the ſame faults, ſhall utterly loſe their places.

Notorious crimes.

8 All wilfull *murders*, *rapes*, *burning* of houſes, *thefts*, *outrages*, *unnaturall abuſes*, with other *notorious* and *abominable* crimes, ſhall be puniſhed with death.

Abuſing of women.

9 Whoſoever ſhall diſhoneſtly *touch* any marryed or unmarryed woman, women in

childbed, or children; ſhall be caſhiered without money or paſport; or be otherwiſe puniſhed, as the *Marſhall court* ſhall thinke fitting.

Drunkenneſſe.

10 Whoſoever ſhall be *drunk* in Camp, garriſon, or Quarter, ſhall be impriſoned and fed two whole dayes with bread and water. As for *common drunkards*, they ſhall be fined and caſhiered the Armie without pay or paſport.

Drunkenneſſe upon the watch, &c.

11 Whoever being ſet *Sentinell* by his Officer, or in his *Watch, Guard, March*, or other *Service* ſhall be found drunk; ſhall dye for it.

Offences done in drink.

12 Whoever in his *drunkenneſſe* ſhall commit any *outrage*, or doe other *injury*; ſhall be puniſhed both for his *drunkenneſſe* and offence, according as either of them ſhall in a *Marſhall court* be iudged to have deſerved.

To pray before the taking in hand of any enterpriſe.

13 No enterpriſe ſhall be taken in hand, but the Company that are to execute the ſame, ſhall firſt *commend* themſelves to God, and *pray* to *him* to grant them good *ſucceſſe*.

Con-

Concerning the *ſafety* of the *Armie Royall*, and of the *Kingdome*.

Treacherous ſpeeches.

Firſt, Whoever in favour of the enemy or other pretence whatſoever, ſhall preſume to ſay, or ſecretly inſinuate to any, that his Maieſties *Forces* or *Army royall* is unlawfull or not *neceſſary*; ſhall ſuffer as an enemy and rebell.

Conſpiracies.

2 All that *conſpire* againſt our ſacred Soveraigne Lord King *Charles*, or any of his Maieſties dominions or Countries; As likewiſe againſt the Lord Generall, or other Generals, Governours or Commanders in the Armie or Garriſon; or that ſhall goe about to *betray* the ſame, or any part or perſon of them; or that ſhall conſent thereto, or conceale them; ſhall ſuffer death without mercy.

Intelligence with the enemy.

3 All ſuch as by diſcourſe, ſigne, letter, or otherwiſe, ſhall practiſe and *entertaine intelligence* with the *Enemy*, *Rebels*, or others in *action* againſt his Maieſty, without direction from their Commanders, ſhall be puniſhed as *Traytors* and *Rebels*.

Aſſiſting the enemy with munition, &c.

4 No man ſhall *aſſiſt* or *relieve* an enemy with

with *money*, *victuals*, *munition*, or other *neceſſaries*, upon paine of death, without mercy.

Mutenies. 5 Whoſoever ſhall begin or maintein any *muteny*, or *unlawfull* aſſembly in the Army or Garriſon, ſhall die for it.

Yeelding up ſtrengths, &c. 6 Whoſoever yeeldeth up any *Towne*, *Fort*, or other *ſtrength* unto the enemie, as likewiſe any *Magazine*, *Victuals*, *Armes*, or *Ammunition*; or that *motioneth* any ſuch matter but upon extremity, and that to the Governour, or in Councell, ſhall be executed as a Traytor.

Reſcues. 7 Whoſoever ſeeth any chiefe Officer or Commander of the Army in the hands or danger of the enemy; ſhall to the uttermoſt of his power endeavour to reſcue or to fetch him off; upon paine of death.

Refuſing to repaire to the Army, &c. 8 Whoever in the neerneſſe of the enemy, ſhall refuſe to *repaire* unto the Army or place whither he is commanded, or that without order ſhall depart from them, ſhall be puniſhed with death.

Revolters. 9 Whoever ſhall *revolt* or *run* over to the enemy, or that ſhall attempt it, ſhall be puniſhed as a Traytor.

Diſcovering the Word. 10 No man ſhall *bewray* the *Word* unto the enemy;

enemy; or ſhall give out a *falſe Word* in time of Service, upon paine of death.

11 Whoſoever ſhall be convicted to have *ſlept* upon his *Watch*, *Guard*, or *Centry*; or that ſhall not have given *timely* and *ſufficient warning* of the coming of the enemy, ſhall be put to death without mercy. Sleeping upon the guard.

12 Whoever ſhall diſparage the actions or directions of any chiefe Commander of the Army, unleſſe he be able to make it good, ſhall die for it. Diſparaging their Commanders.

Concerning Captains and Soldiers duties in particular.

FIrſt, all Captaines, Soldiers, and others, ſhall *yeeld* their obedience to the lawfull *commands* of their *Superiors* without reſiſtance neither ſhall any *draw*, *lift*, or offer to *draw* his *weapon*, *ſpeake* or *mutter* againſt his *Commanders* or others, *correcting* them orderly for their offences, upon paine of death. Obedience without reſiſtance.

2 All Soldiers that wilfully, and without cauſe, *abſent* themſelves from their *colours* or *company*, that goeth to charge or reſiſt the enemy, ſhall die without mercy. Abſence from their colours.

Keeping back pay.

3 No Captaine nor Officer ſhall *defraud* the Soldier or other perſon of his *pay*, upon paine of loſſe of his place, fine, and impriſonment.

False musters.

4 No Captaine or other Officer ſhall make or ſubſcribe a falſe *muſter-roll*, or fraudulently give in *more* or *other* names then he ha h in his *Troop* or *Company*, upon paine of fine, impriſonment, and loſſe of his place.

Officers to ſerve armed

5 No Captaine, Lieutenant, or other Officer, that ought to be *armed*, ſhall come into any *battell*, *skirmiſh*, or *aſſault*, without their ordinary *Armes*, upon paine of impriſonment. Nor take upon him by word or deed to controll or hinder the Serjeant-Maior in the execution of his office, upon paine of death.

Word or marke.

6 No Officer or Soldier ſhall goe upon ſervice without the *word*, and ſome other *marke* to be known by from the enemy (eſpecially in *night ſervices*) upon paine of fine and impriſonment.

Entertaining other mens ſouldiers or ſervants.

7 No Captaine, Officer, or other, ſhall *entertaine* any other mans *ſoldier* or *ſervant*, without conſent or lawfull diſmiſſion from his former *Captaine* or *Maſter*, upon the penalty of a moneths pay. Neither ſhall any *ſouldier* or *ſervant* depart

depart from his *Captaine* or *Maſter* without lawfull cauſe, upon paine of impriſonment, and returning againe of Souldiers to their Captaines, and Servants to their Maſters.

Watching and warding.

8 Captaines and Officers both of *Horſe* and *Foot*, ſhall *watch* and *ward* with their Troopes or Companies: vpon paine of fine, and loſſe of their places.

Diſarray.

9 No ſoldier ſhall *march* along with the *baggage*, but ſuch as ſhall be appointed. Neither ſhall any march out of his array, or ſtraggle abroad from his *colours* to pillage or plunder, when he is appointed to watch, guard, or to other ſervice, upon paine of impriſonment. And if they be taken in the manner, they ſhall preſently be corrected by their Officers: but for the ſecond time they ſhall ſuffer death.

Deſignes to be by direction.

10 No Troope or Companie ſhall go forth on foraging, or upon any deſigne or enterpriſe upon the enemy, without the particular direction of ſuch as command in chiefe, upon paine of death.

Making away of armes, &c.

11 No ſoldier ſhall ſell, pawne, lend, looſe, give, caſt away, play away, or otherwiſe make away his horſe, Armes, or furniture, wherewith he is appointed to ſerve, nor ſhall ſuffer his horſe

horſe by his default to decay, or his Armes to ruſt or be broken or ſpoyled, upon paine of impriſonment and infamie. And that both to the offender, and his abetters and receivers.

Paſports. 12 No private Captaine ſhall give a *paſport* or *licence* of departure to his ſoldier that is able to ſerve, upon paine of fining and loſſe of his place. Neither ſhall any ſoldier depart from the Armie or Garriſon without a *paſſe*, upon paine of death.

Forſaking his colours. 13 No ſoldier or Officer being once placed in array, either in march or battell, ſhall refuſe to *guard* or *defend* unto his utmoſt, the *Standard-royall* or other *Cornet*, *Enſigne* or *Colours* of the Armie: or ſhall deſert, abandon, or run away from any of them, upon paine of death.

Clamours. 14 No ſoldier or others ſhall uſe any *ſhowting*, *noiſe*, or *clamor*, or without cauſe diſcharge his *peece*, either in the march, Quarter, or Ambuſh; upon paine of being *baſtinadoed* by his Officer; and of impriſonment afterward.

Alarmes. 15 No man ſhall give any *Alarme* to the Armie, Garriſon or Quarter, but upon iuſt cauſes: nor ſhall either give it or take it in any clamorous or tumultuous manner, but ſhall orderly and quietly with as much ſpeed as he may

may repaire to the *place* of *Armes* to answer the *Alarme*, and to doe as he shall be commanded.

16 No man shall *challenge* or *defye* another, in Campe or Garrison; nor shall *accept* of the *challenge*, upon paine of imprisonment and publike disarming before his Companie: nor shall any, by words or injuries *provoke* another to the fight or *duell*; or shall *revenge* his owne *injuries* or *provocations*, upon the like penalties. Challenges

17 All *brawles* and *quarrels* betwixt soldiers, shall be severely punished. And whoever in such like *brawle* or *quarrel* shall *kill* another, except upon extremitie and for defence of his owne life he be enforced to it, shall be put to death. And he likewise that *striketh* his fellow-soldier, after they are put into array of battell. Duels, &c.

18 Whoever shall *give* the *lye* to any person of the Armie whatsoever; shall be fined and imprisoned for it, at the discretion of a *marshall court*. The lie.

19 No soldier or other shall *fraudulently* or *theevishly* take any thing away, from any mans person, Quarter, house, lodging, tent, or hutt, upon paine of death. Stealing.

20 No Companies of soldiers either of Horse or Foot, in their marching, retreating, or Abuses upon the march or quarter.

enquartering in or thorow any townes or countryes within the allegeance of the King; shall doe *hurt*, *spoile*, or *injury* unto the *persons*, or *goods* of the *inhabitants*; upon paine of death, or other such grievous punishment, as the quality of the offence shall have demerited.

Burning of corne, houses, &c.

21 No man shall *burne* up any Corne, Hay, or Forage, or other Provisions; nor any House, Barne, Mill, or other building that may serve for the use of the Army, upon paine of death.

Mustering by two names, &c.

22 No Soldier shall *muster* in two *Troopes* or *Companies*, or answer to two *names* in one Company; neither shall any *Victualler* or *other* that is no Soldier, be allowed to passe the *muster* for a Soldier, upon paine of death or imprisonment, as the *Court* shall finde cause for it.

Commissary of the Musters.

23 Whosoever shall *set upon*, or *resist* the *Commissary* of the *Musters*, or shall *wrong* him by word or deed in the execution of his office, shall be put to death.

Cheques.

24 Whatever *Muster-master* for hatred or for favour, shall put a lesser or a greater *cheque* upon an Officer then his fault demerits, or any *cheque* at all at his owne pleasure, without view-taking, shall lose his place for it, or at least

least be liable to such fine or punishment, as in a *Court-marshall* shall be adjudged.

25 No Soldier having *victuals* or *ammunition* delivered to him for certaine dayes, shall spoile or spend them in lesse time then is appointed him, upon paine of imprisonment. Waſting of victuals, &c

26 All Captaines and Officers shall be diligent in *training* and *exercising* of their Companies; and shall be carefull for the well disciplining and providing for them, upon such paines as the *Marshall court* shall think fitting. Exercising of Companies.

27 Every Soldier shall diligently observe and learne the distinct and different *sounds* of *Drums, Fifes*, and *Trumpets*, that he may know how to answer and obey each of them in time of service. Sound of Drums and Trumpets.

28 Every Regiment, Company, and Servitor, either on horse or foot, shall be *contented* with such *quarter, lodging*, or *billet*, as is appointed by the *Quartermaster*: nor shall any *disturbe* another in his quarter, or take it from him, upon paine of being punished as a mutinyer. Content with their own quarter.

29 Whatsoever Captaine or other Officer shall do *iniury* to a *common soldier*, or to other his *inferiours*: upon complaint in the *Marshall court*, he shall be obliged to condigne satisfaction. Righting of iniuries.

Concerning the *Campe*, or *Garriſon*.

Deceiving truſts.

FIrſt, Whoſoever ſhall deale *fraudulently* or *negligently* in a *truſt* or *charge* committed unto him by his *Camerade*, ſhall be enforced to make double reſtitution out of his entertainment, and be further punished by a *Court of Warre*, according as his offence ſhall have deſerved.

Quiet after the watch is ſet.

2 After the *Watch* is ſet, every man ſhall *repaire* unto his own *Quarter*, and there uſe ſuch ſilence as his neighbours reſt be not diſturbed. And all *ſtraglers* found abroad after that time, ſhall be impriſoned untill the cauſe can be examined, and order taken for their further punishment or diſmiſſion.

Lying out of his Garriſon.

3 No man in Camp or Garriſon ſhall *lie out* of his *Quarter*, but by leave of him that commands there in chiefe; nor upon warning or command given, ſhall *refuſe* or *delay* to *repair* thither: upon ſuch paines of fine, impriſonment, or other punishment, as in a Marſhall Court ſhall be awarded.

Lodging of ſtrangers, ſpies, &c.

4 No Soldier or other, ſhall *entertaine* any *ſtranger* into his *Tent*, *Hut*, or other lodging, with-

without leave of his Corporall or other Officer whom it concerneth, upon paine of imprisonment. But if he be proved to have concealed a *spie*, he shall suffer death for it without mercy.

5 No man shall passe in or out of the Camp or Garrison, but by the ordinary and then usuall *Ports*, *Avenues*, or other entrances, upon paine of death. Passing in by the ports

6 All *idle persons*, boyes or women, which have no particular imployment for the necessary and honest use of the soldiers, and which be not *allowed*, shall be banished the Camp. Idle persons

7 No Captaine, Officer, or Soldier, in time of necessity and for defence of the Army, shall refuse to *make* or *repaire* the walls, quarters, or other works and defences about the Camp or Garrison where he is commanded. Be it to worke with Spade, Basket, Wheelbarrow, or other instrument or Engine, then used for those purposes: upon paine of fine and imprisonment. Making or repairing the works, &c.

8 No Soldier appointed to stand *Centinell*, to lie *Perdue*, or to guard in such a post or place, shall come off thence till he be relieved by his Officer, upon paine of death. Centries and guards.

9 For keeping the Camp as *clean* and *healthy* Annoyances.

thy as may be, ſome places ſhall be aſſigned to *kill beaſts* in, and for ſuch other neceſſaries, upon the outſides of the Camp, Quarter, or Garriſon. Out of which places it ſhall not be lawfull to do theſe or other noyſome or uncomely offices, upon paine of impriſonment.

Cleanſing the Quarters.

10 Every Provoſt-Marſhall ſhall take care for the *cleanſing* of his quarter, every third day at the leaſt: and ſhall cauſe all garbage, carrion, filth, and other noyſome offences to be buried. The refuſers or neglecters, he ſhall have power to bring to fine or impriſonment. Which punishment himſelfealſo ſhall be liable unto for neglect of his own duty.

Freedome of Merchants, &c.

11 No man ſhall *ſpoile* or offer violence to any *merchant, victualler, Suttler*, or other perſon comming with proviſions to the Armie or Garriſon, nor ſhall *breake* open any *ſhops* or *warehouſes*, or *ſteale* aught out of any *houſe, Tent, hutt*, or other place, upon paine of death.

Abuſing of houſes, ſprings, &c.

12 No Soldier or other ſhall *breake* downe any *houſe* that may ſerve for the lodging or ſheltring of the companie: nor ſhall *trouble* or *defile* any *ſpring, well, pond*, or *ſtreame* of water, ſerving for the Armie, upon paine of impriſonment.

14 What-

14 Whatever Commissary, Officer or other appointed for levyes or musters; or for making provision of Armes, Ammunition, Carriages, Ships or the like, for the Army or Garrison, shall be convicted to have dealt deceitfully or negligently in his charge; shall suffer such fine, imprisonment, or death; according as the crime or dis-service shall have deserved. Deceits of Commissaries, &c.

15 No Soldier, Waggoner, Conducter of drawing-horses, or other persons having horses in the Armie, shall put, or suffer their *horses* to be put into any *corne-grounds*: and that upon paine of imprisonment and sufficient satisfaction to the owner. Cornefields

16 No man bearing Armes, shall *tarrie* above *foure dayes* in the Campe or Garrison, or follow the Armie, unlesse he puts himselfe under some company, or have licence from the Generall or other, then commanding in chiefe. Strangers not to stay in the Armie.

Concerning lawfull *Spoiles* and *Prizes*.

First, After that the Enemie is driven out of the field, or that the Campe or towne be entred; no soldier shall leave his ranke or Ensigne Not to leave ranke or Ensigne.

Ensigne to fall upon the *spoile* or *pillage*, till the signe be given, or licence be obtained, upon paine of death.

Prizes. 2. Whosoever shall have taken or recovered from the enemie or Rebell, any lawfull *Spoiles* or *Prizes* above the value of *ten shillings*, shall presently upon his returne to the Camp, make the same knowne to the Lord *Generall*, or whoever commands there in *chiefe*; that the prizes so taken may be recorded, and afterwards be sold in the said Camp or Garrison (and not elsewhere) by sound of *Drumme* or *Trumpet*. And that upon forfeiture of the said *Prize*, and such other punishment, as a *Councell* of *Warre* shall thinke fitting.

Prisoners. 3. No man having taken any *Spye* or *prisoner*, shall presume to keepe him longer then conveniently he may certifie his Captaine or other chiefe Officer. Much lesse shall he presume to let him goe, upon *ransome* or *exchange*; but shall deliver him to the *Provost-marshall-generall*, upon paine of death. And if such *Prisoner* be a *person* of *qualitie*, the *Taker* shall have an honourable reward for his service of the Lord *Generall*, or else licence of him to make the best of his prisoner.

4 No

4 No Officer or Soldier shall ſteale, ſpoile, or diminiſh any *prey* or *booty* taken or recovered from the enemie, but ſhall endevour to keepe it *entire* to be diſpoſed of by the *Generall*, or him that commands in chiefe; upon paine of death. Booty.

5 No man ſhall preſume to breake, burne, or pillage any *Church*, *Schoole*, *Hospitall* or *Colledge*; nor to tyrannize over any *Church-men*, *Schollers* or *poore* people, *women*, *maides*, or *children*, upon paine of death, or other ſuch punishment, as in a ſtrict *Councell* of *warre* ſhall be awarded. Abuſes to Churches or Church-men.

Concerning the adminiſtration of *Juſtice*.

FIrſt, That ſuch as commit *diſorders* may be detected, and punishment accordingly awarded; it ſhall be lawfull for the *Councell* of *warre* and the *Advocate* for the Army, to enquire of the *Actors* and *circumſtances* of offences committed, by the oathes of ſuch and ſo many as they thinke convenient: and ſhall further uſe all meanes for *examination* and *tryall* of perſons *dilated*, *ſuſpected*, or *defamed*. Diſorders puniſhed.

Causes determined.

2 All causes and controversies arising betwixt *Captaines* and *Soldiers*, and all others within the Camp or Garrison, shall be heard and discussed summarily, and execution done according to the *militarie Lawes*, by the *Councell of warre*, without *appeale*: unlesse the *greatnes* of the *cause* or other *circumstances* require stay or deliberation.

And recorded.

3 All proceedings in the *Court-marshall*, as well *civill* as *criminall*, shall be truely and fairely recorded.

Wills.

4 If any Captaine, Gentleman, or Soldier, declare or make his *Testament* or last *Will* of the goods he hath in Camp or Fortresse, or which he hath got in service, as also of the debts which are owing to him; all shall be *recorded* in the *Court-marshall*, and executed by those that are named *Executors*. If no *Will* be made, then shall his goods descend to his *wife* or next *kinred*, if he have any. But if he have none, or that none come to demand his goods within one yeare, then shall his goods be *administred* and *distributed* at the appointment of the Lord *Generall* according to the Lawes *civill*, and the *customes* of the *warres*.

Goods of the dead.

5 No man shall *seize* upon, *spoile*, *take*, or con-

conceale the *goods* of any man that *dyeth* or is *slaine* in the Kings service, upon the penalty of restoring *double*, whensoever it shall be discovered: and further to be punished at the pleasure of the Lord *Generall*, or *Court-marshall*.

Discovering malefactors.

6 No Captaines, Officers, or Soldiers, shall refuse to discover, apprehend, and bring forth to justice, any whom they know to be offenders, as they will answer their neglect before the Lord GENERALL, or *Councell* of *warr*.

Runawayes to be returned.

7 None of the Kings liege people shall *conceale*, *receive* into their service, or *conveigh* away any Soldiers that have runne away from their Colours: but shall be obliged to stay, discover, and deliver them, or assist to the delivering of them to the *Provost-marshall* so soone as possibly they may. And that upon paine of imprisonment or other punishment, according to the discretion of the Lord *Generall* or *Councell* of *warre*.

Provost-Marshall

8 The *Provost-marshall-general* shall see all Judgements, sentences and commandments of the Lord *Generall* and *Councell* of *warre* put in execution.

to be assisted.

9 Every soldier and others being desired, shall assist the *Provost-marshall* and his *Officers*,

in the apprehending of malefactors, and in the execution of justice, upon paine of imprisonment. Neither shall any rescue a prisoner so apprehended, upon paine of death.

Officers of Iustice to be assisted.

10 No man shall interrupt or trouble the *Councell* of *warre* or *Officers* of *justice* doing their offices: but upon request made, shall be ready to *assist* and *guard* them: upon paine of fine and imprisonment.

Prisoners to be safe kept

11 No *Provost-marshall* shall refuse to *keepe* a *prisoner* committed to his charge, nor shall *dismisse* him being once received, without warrant: upon paine of the like punishment, that the partie so *dismissed* or let goe, should have endured.

Menacing of iustice.

12 Whoever shall presume to *draw* or *present* any *weapon* in the *Court* of *justice*, and while it is sitting, shall die without mercie.

13 Whatever *Regiment*, *Troope*, or *Company* on Horse or Foot, shall be found culpable in the *Court-marshall* for any of the matters in these *Ordinances* mentioned; all the *Officers* of such *Regiment*, *Troope* or *Company*, and every tenth soldier thereof, shall be punished with all severitie as the nature of the offence shall require: and all other of the soldiers shall be

pun

put to doe some *servile offices* in the Armie, untill by some brave exploite they purge themselves, or otherwise be punished as the Lord *Generall* or the *Marshall-court* shall thinke fitting.

14 In whatever cases or accidents that may occure, for which there is no speciall order set downe in the *Lawes* here published, there the ancient course of Marshall *discipline* shall be observed, untill such time as his *Excellence*, the Lord *Generall* shall cause some further *Orders* to be made and published in the Army: which shall thenceforward stand in force, upon the paines therein expressed. Cases not here met withall.

The Oath.

I *A. B.* do sweare before the Almighty and everliving God, that I will beare all faithfull Allegeance to my true and undoubted Soveraigne Lord King CHARLES, who is lawfull King of this Iland, and all other his Kingdomes and Dominions, both

by Land and Sea, by the Lawes of God and Man, and by lawfull ſucceſsion: and that I will moſt conſtantly and cheerfully, even to the utmoſt of my power, and hazard of my life; conſtantly oppoſe all Seditions, Rebellions, Conſpiracies, Covenants, Conjurations, and Treaſons whatſoever, raiſed or ſet up againſt his Royall Dignity, Crowne, or Perſon, under what pretence or colour whatſoever: and if it ſhall come veiled under pretence of Religion, I hold it more abominable before God and man. And this Oath I take voluntarily in the true faith of a good Chriſtian and loyall Subject; without any equivocation or mentall reſervation whatſoever; from which I hold no power upon earth can abſolve me, in any part.

This

This Oath is to be taken by all the Officers and Soldiers in the Army, by his Majesties expresse Commandment, as a Touchstone of every mans fidelity and loyalty.

The forme of this following Oath is to bee taken by every Soldier, upon the reading and publishing of these *Orders*. At which time the Soldiers holding up their *hand* or *fingers*, shall say after him that readeth the *Oath*, in these words following.

ALl these *Lawes* and *Ordinances* which have publikely here beene read unto us, we do hold and allow of as sacred and good: and will confirme, fulfill, and keep them to the uttermost of our power: So helpe us God.

FINIS.